

Notice of Allowability

Application No.

10/056,163

Examiner

William H. Mayo III

Applicant(s)

PETRENKO ET AL.

Art Unit

2831

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to November 22, 2004.
2. ☒ The allowed claim(s) is/are 1-4,6-34,36-41 and 43-56.
3. ☒ The drawings filed on 22 November 2004 are accepted by the Examiner.
4. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some* c) ☐ None of the:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).
* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
(a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
(b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

- | | |
|---|---|
| 1. <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 5. <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 6. <input checked="" type="checkbox"/> Interview Summary (PTO-413),
Paper No./Mail Date <u>Feb 2, 2005</u> . |
| 3. <input checked="" type="checkbox"/> Information Disclosure Statements (PTO-1449 or PTO/SB/08),
Paper No./Mail Date <u>November 22, 2004</u> | 7. <input checked="" type="checkbox"/> Examiner's Amendment/Comment |
| 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit
of Biological Material | 8. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance |
| | 9. <input type="checkbox"/> Other _____ |

Examiner's Amendment

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it **MUST** be submitted no later than the payment of the issue fee.

2. Authorization for this examiner's amendment was given in a telephone interview with Curtis Vock on February 2, 2002.

3. The application has been amended as follows:

(a) Cancel claim 5.

(b) Cancel claim 42.

(c) Please amend claim 1 as follows:

1) (Twice Amended) A system for de-icing a cableway, comprising a cableway configured for movement, and a power source electrically connected to the cableway for heating the cableway [.] , wherein the power source provides power to the cableway in a range of about from 5 to 100 watts per meter of the cableway.

(d) Please amend claim 36 as follows:

36) (Twice Amended) A method for de-icing a cableway configured for movement, comprising a step of: applying electric power to the cableway for heating the cableway [.] , wherein applying electrical power comprises having a power source that provides power in a range of about from 5 to 100 watts per meter of the cableway.

Drawings

4. The drawings were received on November 22, 2005. These drawings are approved.

Information Disclosure Statement

5. The information disclosure statement filed November 22, 2005 has been submitted for consideration by the Office. It has been placed in the application file and the information referred to therein has been considered.

Allowable Subject Matter

6. Claims 1-4, 6-34, 36-41, and 43-56 are allowed.

7. The following is an examiner's statement of reasons for allowance: This invention deals with a system for de-icing a cableway comprising a cableway configured for movement, and a power source electrically connected to the cableway for heating the cableway, wherein the power source provides power to the cableway in a range of about from 5 to 100 watts per meter of the cableway (claim 1). This invention also deals with a system for de-icing an elongated conductor, wherein the elongated conductor comprises a conductor span being separately connected to a power source wherein the system melts ice using power having voltage in the range of about 10-20 volts (claim 20). This invention also deals with a method for de-icing a cableway configured for movement, comprising a step of applying electric power to the cableway for heating the

cableway, wherein applying electrical power comprises having a power source that provides power in a range of about from 5 to 100 watts per meter of the cableway (claim 36). This invention also deals with a method for de-icing an elongated conductor comprising the steps of separately connecting a conductor span with a power source and applying electrical power having a voltage in the range of 10-20 volts to the conductor span (claim 50). The above stated claim limitations, in combination with other claim limitations, is not taught or suggested by the prior art of record.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Response to Arguments

8. Applicant's arguments filed November 22, 2004 have been fully considered and they are persuasive. Specifically, the applicant's argument that "all of the cited prior art references fail to disclose Applicants' claimed values of the particular variables, and therefore fails to recognize that the conditions are result-effective variables. Applicants therefore contend that claims 3, 5, 19 and 22 are not prima facie obvious over any of the cited prior art, and request reconsideration and withdrawal of their rejections under 35 USC 102(b) and USC 103(a)" is persuasive and therefore the claims have been allowed.

Conclusion


9. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. They are Pugin (Pat Num 5,720,225), Tarasoff (Pat Num 4,563,955), Peirce (Pat Num 2,797,344), Allaire et al (Pat Num 6,018,152), Hrovat (Pat Num 4,212,378), Nourai et al (Pat Num 6,660,934), and Greenfield et al (Pat Num 2,870,311), all of which disclose various de-icing devices.

Communication

10. Any inquiry concerning this communication or earlier communications from the examiner should be directed to William H. Mayo III whose telephone number is (571)-272-1978. The examiner can normally be reached on M-F 8:30am-6:00 pm (alternate Fridays off).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Dean Reichard can be reached on (571) 272-2800 ext 31. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



William H. Mayo III
Primary Examiner
Art Unit 2831

WHM III
February 2, 2005